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A N
A P P E N D I X :
B E I N G A N
A N S W E R
T O A
L I B E L ,
I N T I T U L E D
Patrick Hurly's
V I N D I C A T I O N :

with Some Remarkable PASSAGES of his
LIFE and *ACTIONS*.

*Monstrum nullâ virtute redemptum
a vitiis. Juven. 4.*

DUBLIN, Printed by J. Walley, and are to be Sold at
his House in St. Nicholas-Street ; and by Mat. Gunne,
Bookseller, in Essex-Street, 1701.



British Museum

VINDICATION

with some remarkable passages of the
life and actions

of the same

DUBLIN Printed by W. Wood and sold at
his House in St. Michael's Street and by
Bookellers in Essex Street

An Answer to Patrick Hurly's Vindication.

THIS Specious Vindication had more Artful Shew and Colour, than true Argument and Substance to recommend it; yet was it calculated and design'd for a longer Duration among us. It was seasonably Publish'd in the critical time, to forerun and usher in the Tryal: That the Novelty, together with the arts of perswading used therein, should surprize and prejudice men in favour of the Case. And when our Author had endeavour'd to ensnare their Passions, by motives proper to excite Compassion and Pity; no wonder that some unwarily receiv'd the Impression, and being carried away by the art and contrivance of the Fable, fondly hop'd and fancied the Vindication would have out-liv'd the great day of Trial. But alas, tho' it was no abortive, but with these advantages brought forth in its appointed time; yet such is the fate of things here below, so obnoxious are they to the ill aspects and malignity of their Stars, that this momentary Treatise could not endure the light. No wonder then, that when so many clear beams were darted on it from the Trial, it expir'd that very Night; Nor is the place of its burial known to this very Day.

And yet, that no affront be done the Author, this following Treatise is, beside the Tryal, another just Answer to that *Libel*. And in order to disembarass and clear what is industriously jumbled and join'd together therein, I shall proceed in as easy natural method as the matter will permit. And notwithstanding it may be surprizing to meet with Men, who have skip'd over the ordinary degrees and steps, by which the utmost height of Perfection or Villany is attain'd; yet when such prodigious forward Genius's are detected, such whose promising Talents and Inclinations outstrip their Years, and outdo expectation; we are at a loss to find the measures of their growth and maturity. They refine so fast, that they are too quick for our observation. And therefore, when such degrees are wanting, by which we usually make our remarks, we are forc'd by an unhappy necessity to take other methods; and instead of tracing the Actors in the Natural Order, by which they make their advances, we find our selves obliged, where we can surprize them in the Fact, tho' broken, and without connexion with the other Links that make up the Chain, to lay it down independent and alone. And therefore under this

disadvantage (which much hinders the compleating and embellishing our Accounts of this kind) we can only observe the order of time and place.

This being my hard fate in answering Mr *Hurly's* Vindication, I must desire the Reader further to observe, that for orders sake, I transfer things in his Libel unduly join'd, to their proper places: And therefore where he would blend and slur his being bred a Mathematician, with the account of his Family; I crave leave to account for the former, where I am to speak of his admittance and Education in the *French College*; and to begin with the latter, as the *Vindicator* does in the first Paragraph of that Pamphlet.

But before I proceed to this, I think it not improper to cast a glance on the *Vindicator's* Title Page, where I find Mr *Hurly* dignified with the Title of an Esquire. If it be demanded by what colour of right? I answer directly to the point; by the same that Counters at a distance look like Gold, tho when nearly examin'd, the wash is discern'd, and the Juggle detected. 'Tis true indeed there is some gloss, but the shining does not approve the Mettal, nor is the Inscription by Civil Authority.

If his entry in the *Inns of Court* (which, I presume, is his only ground for pretence or claim of such an honour) were admitted to be sufficient; the number of Esquires would crowd, grow over-cheap, and fall into contempt among us. But if he, how undeserving soever, had been admitted to the Bar, nobody, if it were but in point of Ceremony to persons of merit of the same Function, would refuse to stile him so. But if he invades and confers an Honour on himself, without the publick Stamp or Impression, 'twere to betray and vilifie Power and Authority, to suffer such *Counterfeits* to pass upon us. 'Tis the benefit of such *Fraud*, 'tis this sort of *Robbery* his Country would bar the advantage of; nor will it think it fit to refund him such Damage.

And tho' they do not think it modest to Stile him Count of * *Mount-callan*, under which Title and Character he visited the *Doge* and *Senate at Venice*, if not also the *Pope* and *Cardinals at Rome*, where he receiv'd Honour proper to that Quality; yet would they gladly see him dubb'd, and would in this time of exigency freely recommend him to † a *Post*. And is it not a noble resentment, when they are concern'd, that a person to whom the Publick is so highly indebted, should not receive his just reward?

* *A high Mountain near his Father's House in the County of Clare.*
† *Knight of the Post.*

I have not thought it improper to dwell thus long on this matter, how minute soever it may look, believing it to be one of Mr. *Hurly's* Arts to remove Contempt, and induce Compassion on his Trial; to set himself up as a Gentleman, not only by Creation but Extraction. And that this also may appear in a true light, I proceed to account for his Family.

Patrick



Patrick Hurly Esq; alias *Adams*, alias Earl of *Mountcallan*, alias *Murhilly*, is of a Peasantly obscure Family of the *Murhilly's*, known, if any where, in *Carbery* in the County of *Cork*, where they were Dependants or Followers of *Mac Carty Reagh*; from whose House and dependency, the Old Man, the Father of *Patrick*, mention'd in his Libel for his Sage Advice, to Parley with the Party of Bayliffs, who having Invested the Fortress, carried on their Approaches with design to attack the Flank of one of the Bastions, repair'd to the County of *Clare*, with a Stock and Retinue worthy his Family. They who took the pains to make the computation, aver he had two *Cows* and a *Garran*; where-with, 'tis assur'd, he over-stock'd the Estate he was transplanted to: And if it be granted, as I think it may, that the acceptation and received Notion of Transplanters is this, that they are such a Colony of Men, as were transferr'd from one Estate to another: the Old Man having not enter'd on the possession of an Estate in the County of *Clare*, I presume, 'tis a fair Conclusion, he had none in the County of *Cork*. But if this be too notoriously true, I shall be censur'd and ridicul'd for being thus serious on this head. And therefore I hasten to his farm of *Moughna*.

He was call'd
Adams in Hol-
land and else-
where.

Where, by the by, the first thing that presents it self from the *Avenues*, is the rare piece of Fortification rear'd up and Treated of so solemnly in *Patrick's* Libel. Were I not naturally addicted to seriousness, and did I not design to pay a regard and deference to the Reader, here is matter to tempt to a little Comedy, and room to entertain him with the pleasantry and nature of the Fortress: a body may here ridiculously enough shew the Governors manner of dispensing his Orders, especially to * *Crips* in the Horn-work, who bore the heat of the Assault, pursuant to a Council of War held with great privacy. But this sort of Levity being not the design of these Papers, I proceed to give this view of that Farm of *Moughna*. That it was held by the Old Man's Brother-in-law, who at his death, left it in trust to his Brother, *Patrick's* Father, for the use of his Daughter; who was afterwards disposed in Marriage to the famous *Daniel Hicky*: I need admonish the Reader of this only, that this *Hicky* is one of the pretended Robbers, so much stigmatiz'd in the Tryal, who so often changed sides, and still did swear; the same worthy Person, in whose Dunghil the Counters were found, now prosecuted for Perjury; the faltering doubting Allie and Confident of our Friend *Patrick*. Whether the Old Man executed the Trust, or by what means he got the Farm into his own hands, I cannot say: but this is certain, that from the issues

* *Crips*, whose
Wife being
Murhilly's
bosom-Friend,
perswaded
him to swear
for him.

and

and profits accruing from it he was enabled to dispose of his Daughters to Farmers of the like rank in the Country.

But here where Mr *Murrhilly* slides by an easy Transition, from the account of his Birth, to that of his being sent into *France*; and puts the slur upon his ignorant Reader, by the blendure and conjunction of things at some distance from each other. I shall take leave to refresh his memory with some re-markable Instances of his shining Parts, which may help to fill up the space left void between these two Periods, his Birth and departure for *France*.

And I begin with a notable Story in his tender Years; when his Mother having occasion to pay some incident Charge or Tax to Constables, laid some Money on the Table to that end; but being interrupted and diverted from it by some other occurrence, *Pat* laying his Hands behind his Back, stoop'd gaping for the Money, and having mouth'd two pieces convey'd them to a choice place abroad; where having left them in store, he returned to the same place, and Company; which he found in a strange surprize at the missing of the Money: and it bred so hot a Dispute between the Matron, Constables and Child, that he having taken his Oath he never handled the Money, the Constables were obliged to agree to compound the matter. I mention this to shew the excellency of the Child's Wit and Genius, and the tendency of it; which gave some of the earliest hopes and presages of his future Advances and growing Greatness; which he fail'd not to accomplish to surprize and admiration. A Specimen hereof you have in the following Paragraph.

Young *Murrhilly* a little more advanc'd in years, than he is represented in the Vindication, manag'd a Love Adventure with a young woman of his Neighbourhood, and finding his Essays on the Girl's Virtue ineffectual, thought the most expedient method to compass his ends, to give an Instrument under his hand, which he read as importing a secret contract to her, adding hereunto the Solemnity of some witnesses that were his Confidants. The point being hereby gain'd, and the young woman brought into disrepute, and chid by some Friends for her infamous familiarity with *Patrick*, in her Vindication produc'd the Instrument; which being examin'd, was found to contain the manner of carrying on the Intrigue, and the effectual measures us'd in Debauching her. Having thus signaliz'd himself at home, his Parents bethought of sending him abroad, in hopes that another Climate and Air might reform him; but it was in some time found true, that

Gubem non animum mutant, &c. — for instead of seasoning and cultivating his mind with Philosophy, especially the moral part, or Divinity, for which he was design'd, he proceeded on new refinements, and was famous for contriving

triving an easy method for admitting men into the Holy Function; which will be obvious when I give an account of his admittance and behaviour in the College.

There was then in the University of *Bordeaux* one Father *Delahoide*, a person in esteem for his Learning, and an ancient Professor in the same University; who, as he was a County of *Clare* man, was pitch'd upon to superintend and provide for the young Students of the Birth of that County. To this Gentleman Mr *Murrbilly* being sufficiently recommended, was admitted into the College whereof Mr *Delahoide* was Professor. He was indeed design'd for the Priesthood, and consequently for Celebacy; for which it may be confess'd he was wonderfully qualify'd: and it puts me in mind of an usual custom in *Popish* Countries, where young women upon the first essays on unlawful Gallantry, are forthwith Cloister'd and committed to the Nunnery. Here Mr *Murrbilly* studied some old Philosophy; but so far was he from making an advance in Mathematicks, notwithstanding he tells us in his Book, it was partly his study for four years; that at his return for *Ireland*, he was so great a Stranger to Numbers, that in order to qualify him for an Employment, he found himself under the necessity of learning common Arithmetick from one *Mac Coomb* in *Dublin*. And I refer it to any Mathematician, whether any body having an insight in Mathematicks, can be so far lost in Arithmetick, the ground- and foundation of the Science, as not to recover it easily by his private reading and study. The very reason of it would prompt the memory and easily retrieve it, without the help or assistance of any other. And I dare assure that at this day, which is the 30th of *July*, he is not able to demonstrate any one Proposition in the *First Book of Euclid*, so great a stranger is he to the very Elements of *Geometry*. And this is so signally true, that I am pertwaded he would ridicule the man that were so sottish to be carried away by his amusement, or that should not see that the fucus and colour of Truth was laid on, to raise an opinion of his merit, the better to deceive on the day of Tryal: And I dare assure that he is so little concern'd for this Truth, that notwithstanding this rub, he neither is, nor will be some months hence qualified to entertain any body tolerably with his Learning in any part of the Mathematicks. But as I add this to shew the evident falsity of his assertions in that Instance, as well as in the account of his Birth and Extraction. I now go on, to shew how he spent some part of his time in that College.

Father *Delahoide*, a person of credit and esteem with the Arch-Bishop of *Bordeaux*, was intrusted by his Grace, to give Dimissaries and Recommendations to *Irish* Students qualified for the Ecclesiastick Function, for the encouragement and propagation of *Irish* Seminaries. And having an occasion for a Clerk

Clerk, out of friendship and kindness, made choice of his Pupil *Murrhilly* in the Employment; and he having got into the method promiscuously dispens'd his Licences under the counterfeited hand and Seal of his Tutor; receiving for his liberality, in proportion to their want of merit and qualifications; instead of the value of five Shillings receiv'd on such occasion. By this means the *Irish* became so over-stock'd with ordinary Clergy, that their multitude no less than their undeserving, gave the first occasion of suspicion. The truth once brought under enquiry was easily penetrated, it was then soon seen how profuse and lavish *Patrick* was of the Holy Ministry; after what a cheap rate he would prostitute and impose even the Holy Ghost on men. On notice of the discovery of which, (out of a sense of the penalty due to such Crimes) **Simon Magus*. *our Magician suddenly vanish'd, and soon perform'd his first Expedition out of *France* into *Ireland*.

Soon after his arrival in that Country, out of his usual restless humor, he rovd about, till at last he stray'd into the County of *Cork*. Here he struck in with one Mr *Terry*, Deputy Clerk of the Crown for the County, under whom he serv'd as Clerk for some time. And that no place may be exempt from a signal Instance of his Intrigues, he carries on an Amour with his Master's Daughter; and at length a Wedding is stolen, as prejudicial to one as the other. There was an equal dissatisfaction on both sides, from the appearance of little or no Fortune on the one hand; and the disability to support a Wife and Family on the other. Being puzzled for some time under these doubtful circumstances, he at last determines to go to *London*; Where, to bring himself into some esteem, he enters himself in the Inns of Courts. This will appear the more adventurous when 'tis known, that he had little or no support, but depended on Artifice and Cunning.

At the time then of his stay at *London*, one Mr *James Carney*, a Tenant under my Lord *Kingsale*, in the *Courcy's* Country in the County of *Cork*, writ to his Acquaintance Mr *Murrhilly* in the Year eighty five; desiring, that if he had an intimacy with, or interest in his Lordship, he would prevail with him to renew his Lease, which was to expire in the Year of the date of that Letter: and promis'd in case of success, to gratify him with thirty pounds reward. Mr *Murrhilly* easily undertook it, and in a little time sent him a Lease agreeable to his request, with the usual form of Signing, Sealing and Witnessing. Mr *Carney* fully acquiescing, remitted the Money forthwith. But my Lord being an absolute Stranger to *Murrhilly* and this amusement, treated with another about the Farm: at which honest *Carney* out of plain simplicity, accosted his Lordship after an unusual manner, insisting on his new Lease. My Lord equally surpriz'd and affronted, threatn'd to indite

Carney

Carney of Forgery, who then began to be fear'd, and soon cool'd into a submission and sense of the sham. Under this concern *Carney* writes hastily to *Murrhilly*, and desir'd some redress; at least to be repaid the Money: But as his condition and simplicity were ridicul'd, so was his redress neglected, till *Patrick* having come to *Ireland* in my Lord *Tyrconnel's* time, with much difficulty was prevail'd with to make some payment in Brass Money. In the mean time the Principal as well as Interest was soon swallow'd up, some appearing in unusual Dresses and Gaiety in the City: and in short, 'twas the first time he set up for Equipage and Figure. But this small Spill being very disproportionate to his Spirit and Grandeur, was soon squander'd; and yet flush'd by his success in out-witting a plain Countryman, he soon achiev'd a nobler Exploit in the City, which he carried on as followeth.

Having maturely consider'd to take on him the Character of a *French Count* (which by the by, was a Title very frequent and ridiculously familiar to him,) he provided an Equipage and Retinue suitable to his Quality. Thus set off, he with the mien and air of a *French Count*, nearly related to the Dutcheß of *Portsmouth* seeks for Lodgings. And after some beating about, came at last to a Sadlers, where dispensing his *French* with much copiousness and facility, he seem'd to be cramp'd, and labour'd for the *English*; but yet with much condescension and complaisance, not without some Clippings of our Tongue, made a shift to lisp out pretty gracefully an account of his affinity to her Grace; and also, that he was enjoyn'd by his Friends to send a considerable number of Pad-Saddles to them into *France*. This premis'd, he view'd the Lodgings, which pleas'd his Honour mightily. By this time they were on both sides so well dispos'd, that they were soon agreed both for Lodgings and Saddles; sixty of which he embark'd, and convey'd from one end of the City to the other: and (as I observ'd) having landed them without paying the King's Duty, the Merchant was the better able to afford an easy pennyworth. And when he convey'd away also the Furniture of his Honour's Lodgings, I remember it a Point at Law warmly disputed among a Club of young Lawyers; whether the Fact were more legally resolv'd into Felony, or Breach of Trust: and next day after their jollity in treating of the Achievement, *Patrick*, as other great Men do for their pleasure, and sometimes profit, laid down his Honour and Quality where he found it, and personated the same *Hurly* he now does. But it must be confess'd by his very Enemies, that the publick have an obligation to him, he having been one of the first that occasion'd our aversion to the *French Court*, and to *French Commodities*.

But O how is he alter'd! how unlike the Person that brought off the Spoils! and yet for your full satisfaction, I assure you, he is that very *Proteus* now re-

for'd to his proper shape. The Poets in their Metamorphosis chang'd men into hideous Forms, and when they recover'd themselves, they were pleas'd to cast some into Chains, lest they should be transform'd, and assume their beastly shapes again. Here is place to clear the Mythology.

But to return, Mr *Murrhilly* having thus profitted by his Studies, he began to judge there was as great probability of his being call'd to the Bar, to expose his fair Gentleman's Hand, as to shew his Rhetorick; so that his Vizards and change of form, did not quite free him from misgivings and fears. The rumour of the Adventure spreading abroad, he began to be the more shy and reserv'd in appearing, and therefore in some apprehension determin'd to come for *Ireland*. And tho to my knowledge he might have had a Pad well saddled, yet was he shy of using his own Furniture. He and I set out the same day, so that I had some opportunity of observing his motions, and we embark'd in the same Ship, tho not in the same Cause.

Soon after his arrival, he deliver'd my Lord *Tyrconnel* then at Helm, a forg'd Letter from Father *Peters*; whereby he was recommended to the Collectorship of the County of *Clare*; then in the hands of Mr *Vanderlure*, an honest worthy Protestant Gentleman, whose only Crime was his Religion and sincerity. This counterfeit Letter and another to the same purpose from Sir *Miles Crowley*, were the only Credentials he brought with him out of *England*: Notwithstanding his boast in his Book of his being recommended by the Commissioners in *England*, which will appear as unlikely as untrue to any knowing person, that gives himself but leisure to consider the Man's want of Qualification, and Ignorance in Numbers, as I have shewn, without which 'tis highly improbable, that persons so penetrating and wise, as the Commissioners of the Revenue in *England* are, should recommend him for an Employment to the Commissioners of *Ireland*. And yet upon the credit of the former recommendation he was favourably receiv'd by his Lordship, and an order was forthwith issued to the Commissioners of the Revenue, to call up Mr *Vanderlure* to give in his Accounts, which he did with so much integrity and justice, that his Friends application in his favour was effectual. The rubs and delays hereby laid in Mr *Murrhilly's* way, made him as impatient as doubtful of success; and therefore he cast about how to strike into some other employment, and to rivet himself more effectually into favour; in order thereunto he lays the following Scheme and Plot.

My Lord *Tyrconnel*, and Mr *Sheridan* then Secretary of State, being at variance, the then Titular Bishop of *Cloghan* was ready to step into the Secretaryship, on the decision of the Case in favour of his Lordship. *Patrick* look'd on this as the critical time to gratify both their Lordships, and to shew his zeal.

zeal to both Church and State, he gives in an information on Oath, that Mr *Sheridon* receiv'd sixty *Guineas* at his hands, on condition he should procure him the Collectorship of the County of *Clare*: adding hereunto, that he employ'd him to solicit for several other Bribes from other persons. The holy Father was expostulated with, * but he stood as inflexible as the Governor: nor would he on any other terms, then the delinquents resigning, absolve the Crime. No other Penance could atone for his Sin; notwithstanding 'tis notorious, that *Murhill* was so bare of Money, that he wanted it for his Common Expence, infomuch that he then run about a hundred pounds in debt to Mr *Sullivan* of the *London Tavern*; which remains on account to this day, tho often call'd for. So far was he from having Money to spare for Bribes, or otherwise. However, 'tis not to be wonder'd that by the merit of Swearing, as well as by the two Prelates, Father *Peters* and the Bishop of *Clogher's* Blessings, he got into an Employment.

--Neque illum
Orando flectas.
Virgil.

The first he enter'd on, was the Collectorship of part of the City and County of *Dublin*; about this time he so recommended himself to my Lord *Clare*, and to his Son Collonel *Daniel*, by his speaking the *French* Tongue, (the latter of whom having but a smattering, and being in pain in speaking any other) that he was prefer'd to the Agency of their two Regiments, and by them effectually recommended to be one of the Kings Foragers in and near *Dublin*. I had an eye over him in this employment, and then took the minuits and materials of the following account of his Behaviour in it.

Mr *Murhill* observing the licentious power indulg'd in those times, resolv'd to set no other bounds to it, than those of his proper interest. So that wherever Corn or Hay was to be found in the hands of Protestants, it was forthwith seiz'd for the King's use. And as he design'd to convert to his private use, what was design'd for that of the publick; so when he did not think fit to put in practice the order of payment for such seizures, he by his interest at Court stifled the Complaints, and discountenanc'd the Addresses of people on this occasion. And even where there was but little or no colour to serve the King in his station of Forager, he miserably pillaged and destroy'd Houses and Families. For the truth hereof, I refer my self to Mr *Whitcut* the Lawyer in *Dublin*, whose Spoils and naked House were a sad instance of it.

But he scorn'd to be confin'd to any Party or Sect of Men; he had a Genius for universal wrong and delusion. With the sense therefore of his own capacity, and ambition of raising himself, tho on the Spoils and Ruins of others; he applies himself to the defrauding the Army committed to his charge, so that where he gave out but two Barrels of Oats, he charg'd five hundred.

Collonel *Parker's* Regiment of Horse is a particular instance of this; not to say any thing of the different measures, by which he gave out and took in the King's Corn. But that it may plainly appear I am in good temper, and not carry'd away by transport or prejudice in this relation, I appeal to the undoubted Testimony on Oath, of one acquainted with, and serving under him from his youth up. This, I think, may put to silence his nearest and most obstinate Friends; therefore I refer the Reader to him, where he gives him an ample Satisfactory Account of this and his other practices from his Minority. *vid. * Number the first*, at the end of this *Appendix*.

But when all this came to some light, and when an account of this, & such like Publick Miscarriages, as well as the Grievances of some distressed Officers then confin'd in their Enemies hands reach'd King *James's* Ears; he gave Orders to *Sir Patrick Trant*, a Person well qualify'd to sift and penetrate into it, to make a strict enquiry into, and to report the matter; which being done, and *Murrhilly* thereupon like to be dismiss'd his Publick Charges; the Breach of the *Boyne* very seasonably intervening repriv'd him to this day. He Return'd therefore more *Triumphantly*, then was imagin'd, to *Limerick*; and finding the Publick Concern there lost and neglected by their *Civil Fueds* among themselves, he Judg'd it most expedient to strike in with a number, and to Joyn a Party rather then to stand alone Naked and Defenceless. And tho he tells us in his Pamphlet, *he was one of the Principal Men Pitch'd upon to provide for Limerick*, yet is it well known, that by the interest of Collonel *Sarsfield*, whose Party and Faction he then espous'd, he was prefer'd to be *Store-keeper* in *Galway*, where his Behaviour to the Distressed Protestants of that City, agreed in every particular, with his Carriage to those of that Profession in *Dublin*: and as he pillag'd *Mr. Whitchit* in *Dublin*, So did he at his Departure thence, *Mr. Brown of the Globe* in *Galway*. So exactly was he the same in every place. And yet, he prevail'd with one of the Men now concern'd in the Robbery, (whom he in his Libel calls Profligate Fellows, tho his own near-kinsmen) together with own *Mac Donogh* his Nephew, to Swear him within the Articles of *Galway*; that he being thereby Adjudged may be qualify'd to claim the benefit of the Robbery &c. and yet 'tis Plain and Certain from what I have said, and the concurrent testimonies of a multitude of credible Persons, *he quit- ted that City and went to France before the Surrender of it to his Majesty's obedience*, which needs no other evidence than his *Effectual Violence* to *Mr. Brown*; it being impossible he could compass that, at or after the Surrender.

But before his Departure, I should have observ'd how Smoothly he wou'd Insinuate the *Considerable Stations* he was in, as well as the Weighty Trust Repos'd

Repos'd in him ; as when Page the Second, Par. the First, he wou'd flur his being *Recommended to be Secretary to Monsieur de St. Rhue*, by his qualification of his Speaking the *French Tongue* to perfection ; and Page the Third where he wou'd imply *such an intimacy with the late King's Secretaries of War and State*, as that he was let into their *Arcana's* and *Intrusted* with the *Private Transactions* relating to the *Irish* ; and the *designed Invasion from La Hogue*. to which, I Subjoyn, that in this it was his great design to shew *his qualifications for an Informer*, to Insinuate the *Publick Services* he was able to do, and the *Severities* and ill Usage he pretended to have receiv'd on the Score of his good intendment ; but of this in its proper place, where we shall have occasion to Speak to his Grand Plot. In the mean time, I shall only add this, that as nothing is better known than his having been never in the Employment of Secretary with *Monsieur de St. Rhue* ; so is it as well known, that the *Late King's Secretaries of War and State* were so wary in France, and Persons of that *Reserve*, that their Counsels and Resolves were kept as *private* and close, as is usual in such cases in any Court in *Europe*, the *French* only Excepted. But when Mr. *Murrhilly* carries on a Project of making a Fortune this way, 'tis reason to believe he will give himself easy Access and Admittance to Princes and their *Cabinets* ; as he does in ~~the~~ same Information given in concerning this *Invasion*. And this is the less to be wonder'd at, since 'tis agreeable to that Vein and Spirit, of *Romantick Vanity*, that swells and *Transports him in his ordinary Conversation*.

————— *Nunc Reges atque Tretrarchas,*

Omnia Magna loquens. ——— And if there appears a manifest contradiction in this first Paragraph, when compared with the last of the page continued over leaf, and so on, why should any Person or Friend wrong his own Judgment or him so far, as to suspect him of truth any where. Now I, in much Submission offer this instance in proof of the contradiction, Page the third Paragraph the first, he tells us, *that the news of the Irish arrival in France, and all Communication with England and Ireland, being then Stop'd ; obliged him to Stay four Years longer in France*. So that I think this fairly Implies his design and inclination to come off ; and yet in the account of his departure he declaims against *Collonel Gordon O Neal*, as the Person that put him under the necessity of Running out of that Country, so that now he expresses his Aversion to come off. All this he seems to have Spoken almost in one Page, and Breath, and I believe on the same spot, so that 'tis a perfect contradiction except he insists on't ; that he was not *Stans pede in uno*. ~~So that not he expresses his aversion to come off~~ But yet, O that so well disposed a Man, should not out of the abundance of his Zeal for our Constitution and

Go

Government, have made his Escape long before, to inform of the *Emminent Dangers threatening us from La Hogue* and otherwise!

But since Mr. *Murrhilly* look's on't as a Concern worth while to lay out his Invention and Pains, to *palliate the occasion and manner of his making his Escape out of France*. I shall take the liberty to look a little beyond the false Gloss and Varnish, and in giving a small narrative of that Passage shall lay down and display the truth of that matter briefly Thus.

Mr. *Murrhilly* was employ'd in the Agency of some Regiments in *France*, principally for that of Collonel *Sarsfields*, who during his life Patroniz'd and Supported him, notwithstanding the many dissatisfactions of the other Persons whose Concern he negotiated; but no sooner was that Regiment on his Death disposed of to my Lord *Clancarty*, but *Murrhilly* was dismiss'd that Charge and Business. My Lord having been Sufficiently possess'd of the fame and credit of the man, was the first Person that shew'd his dislike to him, in that effectual instance of his resentment. Before this time the countenance and favor shewn him by Collonel *Sarsfield*, remov'd and warded off the consequences of the just displeasure of some Persons that employ'd him. But now they began to break out; and Collonel *Gordon O Neal*, a Person of known Worth, Honour and Courage, first charged him with his abuse of his Regiment, and with his Extravagant wrong & Imposition in discounting with him. Some dayes before this, he by Bills received the Cloathing Money of *Sr John Fitz Gerrald's* Regiment, &c. whose stock and pay deposited in his hands, as well as that of Collonel *O Neal*, he Licentiously Squander'd away before. Finding himself now left alone, naked and open to the just resentment of the injur'd; and utterly unable thro' his extravagance to make Satisfaction, determines to put in practice, what he had before lay'd the Scheme of; with his Brother *Tirry*; & to give it the better Gloss, as well as to secure what Treasure he cou'd not carry off; his Wife Stays behind, who had it in her instructions, as soon as he was miss'd, to give out and disperse the news of his murther; and when she had followed directions, and acted her part of the Tragedy to the Life, The Late Queen being acquainted with her condition sent the Lady's *Sophia Buckley* and the Lady *Mae Donnel*, to pacify and comfort poor Mrs *Murrhilly*. During the time of their condoling with this distress'd creature, comes in a Detachment of *French* Soldiers, to make search in Favour of some *Irish* deeply concerned in the absence or decease of their Agent; who upon strict enquiry, found some *Thousands of Pistoles*, with and about the *Disconsolate Lady*, together with a Letter Dated by him at *Geneva*, giving her the Satisfactory account of his safety & escape out of the Enemy's Country. The Ladies much amaz'd at this so Surprizing issue of their Visit, hasten back to Court to recount the Adventure, where the depth of her Dissimulation was more admired.

admired than Punish'd and some slender Confinement in an easy Nunnery, from which she was soon released, was the only penalty annex'd to her crime and falshood.

And yet why shou'd not Mr *Murrhilly* find credit? What, is he a man of that Reputation when the parts of his Story are so well put together, that the whole looks like truth, that he shall not find faith among us? What, not when he tells us, that Sir *Gordon O Neal* did not Act the part of a Gentleman, but was backward and cowardly? What, shall we not believe, when we have the evidence of his word for't? and further, when he insinuates some deep Mystery relating to his Daughter, which he's so much a Gentleman as not to clear up? If we are so hardn'd as not to lend our assent when we have no less motive then the Testimony & Authority of such a Speaker; then sure he will reckon us Reprobates, and give us up to *unbelief*. But yet a little more calmly, if *Sir Gordon* be a Person who is so far Signaliz'd, for his Courage, that warin'th and forwardness has been alway's ascrib'd as a fault to him, pray why should not this take a little from the credit of Mr *Murrhilly's Relation*, and add to ours? or if the barbarous Story given out by him since his departure, concerning his Daughter, to palliate the cause of his coming off (the truth whereof would render him as Monstrously Villanous, as he represents himself otherwise,) be notoriously false & Infamous why should he expect especially, this time of day, so much Deference to his word?

And tho I cou'd evince this truth concerning the Young innocent Lady, in shewing the result of the enquiry, and *Examination* made by the late *Queens Commands* on occasion of this Rumor; yet do I choose rather to take another way, that by Demonstrating what I have lay'd down as the true cause of his making his *Escape*, all other pretended *Glosses and Reasons* may be Sufficiently weakn'd and confuted.

In order to this, I must premise that Sir *John Fitz Gerald* whose Regiments, *Cloathing Money*, *Murrhilly* having received by Virtue of the Bills sent by *Major Terry* his Brother-in-law, Immediately undertook the Expedition into *Savoy*, &c. was to be Translated from his own *Irish* to a *French Regiment*, in which Station it was proper and Requisite to make a *Greater Figure*, then he was formerly obliged to. *Terry* his Major takes occasion from hence, and easily Perswades Sir *John* to dipose of his Old *Unfashionable Plate*, in order to furnish him with a Set more Suitable and becoming, and having undertook the Sale, &c. he takes Sir *John's Plate* to *Lyons* (where the Brothers were to meet and having Sold and received Payment for it, at the time his Brother *Murrhilly* Ran away from *Paris*, made the best of his way thro' *Switzerland*. The news of the double Treachery of *Patrick* and *Terry* coming in a day to Sir *John*, struck him into a deep *Melancholly*. In this disconsolate condition one

Captain

Captain Gibbon coming to him, made him a tender of a Purse of Gold, and at the same time undertook the Pursuit of *Terry*. And to be short, with one Quarter Master *Murphy*, and one *Fitz Gerrald* with an order from the Intendant of *Grenoble*, Renew'd by the French Resident at *Geneva*, followed the Chase so close, that at length they had him apprehended & confin'd; being in this distress, he Expostulated with *Gibbon* for his Enlargment, and offerr'd him a Considerable Purse of Gold, which was accepted: Notwithstanding he wou'd by no means agree to his Release, so that he remain'd in confinement, till the very day before the arrival of an order, to remove him into *France*; when having made an interest to the Bayliff's or Officer's Wife, who had him in Custody, he was permitted to make his Escape.

And since this reasoning may be further improv'd by Shewing the fallacy of the argument made use of by him to confirm the contrary. I mean in Page the 7. Par. the 2. where he says that no Agent, nor any Person whatsoever, other then the Majors of the respective Regiments, hath power in *France* to receive from the Treasurers any Money or Pay, &c. and yet certain 'tis, that very credible Persons, who have been many Years concern'd in *France*; for some of the Greatest Men of *England*, do affirm, they have been pitch'd upon and deputed to receive Pay, Cloathing money, &c. for several Regiments in *France*; and do explode and ridicule his Sophistry, by shewing that where the Regiments are Resident in the Town with the Treasurers, 'tis in that case usual for the Major to receive their Pay; but when it happens otherwise, nothing is more common, then for their Agents and Deputies to receive the Pay, Cloathing, Money, &c, fallen due to the respective Regiments.

But is it not Ridiculous to be thus serious? or is to be expected Mr *Murrhilly* will not make all Advantage possible of the distance of place, as well as of all Colours of Reasoning, to Amuse the Credulous and Ignorant? Or is it to be Imagined, that he who had the front and assurance, to put a Cheat on the Publick, &c to set himself up for the most innocent wrong'd Man in the World here in the face of a Kingdom, notwithstanding the power of Evidence, and the glaring Truth that Star'd him in the face, is it (I say) once to be thought or Imagin'd, that such a man will not Seduce his Reader, in foreign and distant matters and by his False Lights, lead him into Errors and Mistakes in Favor of his Cause? This alone might have been a Sufficient answer to his Foreign Arguments; and yet having so much other matter lying on my hands, I was tempted to be needlessly Superfluous on this head; but least in Excusing it, I shou'd continue my Error, and still disoblige, I proceed to pursue him to *Holland*.

Here, as I am informed, Mr *Adams* * was in League with a Married Woman at *Amsterdam*, whome he Barbarously Abused in her Husband's

time,

time; but the *Husband Dying* soon after our *Mr. Adams* on promise of *Marriage*, prevail'd with her, to *Raise* and *Borrow* about Five Hundred Pounds for him; this done, he soon deserted her. The Woman Abandon'd of all her Friends, was laid in Prison, where she in *Despair* Poyson'd her self. For the Truth hereof, and that it may not look precarious, I appeal to the credit of *Mr. Joseph Bue* a Dutch Man now living in *Limerick*.

The next Authentick account of him, we have from *Monsieur Chateline* a French Merchant at the *Hague*, with whom he so well ingratiated himself, that he found credit with him for vast quantities of several sorts of Superfine Linnen. So well was he Stock'd & furnish'd by this Man, as well as by the Woman at *Amsterdam*, that the French Mans Charge to him, amounted to about Five Hundred Pounds, yet with this Incumbrance, he made a very light and speedy escape out of *Holland*; but is since overtaken by an Execution for that Money; which now with other Debts, Crimes and Misdemeanors hang over him in Prison.

And by the way having arrived at *London*, where (for fear perhaps of a more ready pursuit from *Holland*, or being Detected by some of his Old Acquaintance or Friends, for Changing his Name to *Adams*,) he Re-sum'd the Name of *Hurly* (& among many others to a like Advantageous purpose) soon made an acquaintance to one *James Hannin* an Irish Taylor Living next Door to the *White-Lion* in *King-street Bloomsbury*: whom, being of easy faith, & Famous for Crediting his Countrymen *Mr. Hurly* thought the fittest Instrument for his purpose; and he sent for *Honest Mr. Hannin*, who having before been well assured (as most of his Country men in *London* were,) of the vast quantity of Gold *Mr. Hurly* had brought from *France*, and being well blown with the swelling promises of the prodigious Custom and Advantage he should thereby reap, as gladly embrac'd the Custom, as the Customer did the Taylor. And being thus so well agreed, *Hannin* was ordered forthwith to Rigg him and his whole Retinue. And not Doubting in the least that so Mighty a man as he would prey upon somean a Subject he let the Score run on till it Amounted to 40 Pounds, by which time *Mr. Hurly* being ready to go for *Ireland*, at his Departure, forgot to take his Leave of his Taylor, or to make any excuse for it till he came to *Chester*. Where Just ready to take Shipping for *Dublin*, he sent a Letter to *Hannin*, to acquaint him that an unexpected Hurry of Business forced him so hastily from *London*, that he had not time to send for him; but that he should Lodge at the *Wheat-sheaf* in *St. Francis Street* in *Dublin*, and would as soon as he came thither, Remit him the 40. Pound he owed him. But such Swams,

being below his Sublimer fancy, he soon Discharged himself of the thoughts of the Matter; and thereby left *Hannin* Room to send several Letters to his Lodging: but Mr. Hurly not being to be Heard of that way, put the business into the hands of the *Printer hereof*; who *Discoursing* Mr. Hurly *thereupon* (tho at the same time he had the *Chester* Letter aforesaid under his own hand then in his Custody) *found him so much a Stranger* (not to *Hannin*, but) *to his Debt*; that Considering Mr. Hurly's other Circumstances, he thought it to no purpose to trouble him further about the Affair.

But do him Right, and to Compleat his Story, I shou'd have related, that ere he took his Flight out of *Holland*, he found himself under an indispensable necessity of answering for his Lodging, Washing, & for Many other Dribblings, &c: for the clearing whereof, he drew a Bill of 200 Pound on his Brother John who was Amaz'd at the so surprizing an Instance of his want of Money, and having sold most part of his Stock of all sorts, made a shift to Remit that Summ.

Thus furnish'd *Adams* sett out of *Holland* and finding our Country's & Clymate not very agreeable to the Constitution and Complexion of his Profession, notwithstanding his particular care at the *Hague*, to have himself observ'd for his Zeal by my Lady *Jersey*, by his frequency in appearing at *Mafs*: Yet soon after his Arrival, over-looking every thing so domestick and common as our Religion, took up the Name of a *Geneva* Protestant. Thus qualified for the Support of the Church and State, he undantedly struts and bears up among us, to the regret of many Persons that were yet living Witnesses of his Arbitrary Proceedings and Barbarous Injuries in the late Reign. But the Splendor of his Appearance with variety of Fine Dresses of all Sorts, easily purchas'd abroad, set off with Jewels, Diamond Rings, and a Shew and Reputation of Immense Treasure, together with his Religious Qualification, raised him high above their Envy and Resentment too. Thus Equipp'd, he receiv'd the Addresses and Attendance of the Bankers of that City, and of their Advocates contending and interceding for them. They were equally fond of one another, and were no less easily agreed than the *London* Sadler & *French* Count already made mention of, with this difference, That here were some Ceremonies and Difficulties raised on purpose to give an edge to their desire, and to enhaunse his Credit with them. By these Artifices one Mr. *Arthur* is drawn in, as well as another Banker, who having a regard to his established Reputation for caution and prudence, is somewhat shy of owning his Oversight; and Bills are drawn into *France* in the said *Arthur's* Favour for 750 l. upon the Credit of which *Arthur* readily advanced him the Money before-hand.

*The Dutches of
Portsmouth's
Cousin.*

But

But Mr. *Arthur's* Correspondents abroad soon return'd the Bills Protested : They were Sign'd *Pierre du Hammel*, and drawn on and directed to *Charles de Bonvall, chez Monsieur de Turmenie au Marais du Temple a Paris*. This Address and the Circumstances of it were so Solemn and Particular, that a Man without the Imputation of Unwariness, or too much Credulity, might have been over-reach'd. The Colours were so well laid, and the Falsity look'd so like Truth that 'tis no wonder the Project had its Effect ; though no such Person as *Charles de Bonvall* was ever heard of or known, at or about the place where he was address'd to. And this Answer made to the Enquirers being received by a *Notary Publick*, the Bills were sent Back Protested ; so that all the necessary Form was nicely observ'd in Protesting those Bills. If after this there were any necessity of convincing the Reader further, that no Effects of his were Seized by the Means and Treachery of Mr. *Arthur*, as he pretends, *Daniel Arthur Junior's* Certificate to this purpose is ready to be produced. But what is able for ever to Silence him and his obstinate Adherents, is, that notwithstanding he affirms in his Libel, that *Arthur's* betraying his Substance into the Hands of the Irish, and his Effects being arbitrarily seized and disposed to their Use, gave occasion to the Protesting Mr. *Fitz-Simmons's* Bills, yet that *Fitz-Simmons's* Bills were presented and Protested e're Mr. *Arthur's* arrived at Paris. And though nothing but Right Reason were to direct us, I appeal to any Judicious Person, whether it be likely that Mr. *Arthur*, or any other in his Senses, would lay about and contrive to ruine himself ? whether 'tis any way probable that a Man under the necessity of selling his Stock some few Weeks before, as *Murhilly* was, to pay off some petty Debts in Holland, can be imagined to have had a Bank or Treasure in any part of Europe at that time ? Which Argument is so well seconded by another of Mr. *Arthur's* in his Letter on this occasion, that I cannot do better for the Reader's satisfaction, than refer him to it. The view of this and the like Results of his Projects, no doubt gave the first occasion of Garrisoning the above-mentioned Fortification.

But to return, *Murhilly's* Occasions pressing his coming to *Dublin*, he found it proper to keep the design of his Journey private ; and though he determined to live in Retirement, and to conceal his Lodging in that City, yet *Arthur* advised of his coming, watched the Avenues ; and having seen him lodged, expected with much patience what might be proposed to make him Satisfaction ; but finding nothing but Slurs and Management this time also, he determined to have him taken and laid in Confinement, where he continued till he agreed to give *Arthur* Bonds for near his Principal-Money.

But here also the wily Man shews a *Specimen* of his Parts; for as he Forged a Bond payable to himself under the Hand and Seal of his Brother John, attested by credible Persons; so having gain'd his Liberty by this Stratagem, he dispatched Releases to the Bondsmen, bearing Date antecedent to the Surrender of the Bonds, with Instruction to plead Payment accordingly. His Request being granted by his Brother, and the Payment avoided by others, a Bill of Discovery is drawn up by Arthur's Council, and Commissioners are appointed both for the Plaintiff and Defendant. The place appointed for their meeting was if not inaccessible, yet very Impracticable; so that the Plaintiff's Commissioners came not thither. Therefore the Defendant Murrhilly having a Power and Influence on his own, who were his near Kinsmen, prevail'd to have such a Return made as he wish'd and contrived.

But when his Brother, a little shrinking at it, threatn'd to make a discovery of the Forgery, Patrick in Indignation assur'd him, he wou'd then prove him Guilty of Perjury, but that if he wou'd prefer a Bill in Chancery against him, he wou'd acknowledge Payment, which wou'd for ever secure him against any Claim of Arthur's. Arthur thus abused and eluded on all Hands, turning Bankrupt was obliged to get behind the Scene, though a Candid, Honest, Undesigning young Dealer.

Mr Arthur's Letter having come to my Hands some time after the taking the above-mentioned Account from less finished Materials; I must refer the Reader for his further Satisfaction, to number the 2d. of this Appendix, where not only what I have said is evinc'd and improved; but where he cannot without regret read the Passion and natural Rhetorick of the Lamentation of a wrong'd Person, nor without concern see the hopes of an Establish'd Honest young Dealer fall to ruin by the cunning Artifices of an ill Man.

Having with much Truth answer'd what seems material in the former part of Murrhilly's Pamphlet, I shou'd now find no small perplexity in clearing the matter of the Cheat and Robbery, the contrivance of his Argument is so Intricate and Artificial, and the Colours of Truth so well drawn, that it wou'd be no small work to unmix the matter, and unmask his Reasoning. But this being sufficiently done in the Tryal prefixed to this Appendix, I suppose the Reader abundantly satisfied; and therefore to avoid Repetition and Superfluity, I pass by the greater and more substantial Occurrences relating to that Robbery, and shall lightly touch only on some Passages that escaped sitting at the Tryal, &c. Such as the Scandals and Imputation of Injustice and Partiality, laid to the charge of the Justices of the Peace and others of the Gentry of the County of Clare. And to observe due Order, I begin as he does with Dean Blood.

And

And to render this *honest Clergy-man* ridiculously unjust and partial, he tells you, and hopes you'll be so civil as to believe him too, that he said he could not attend Business the day he was brought to be Bail'd before him, because his Wife was troubled with the Gripes and Looseness. This indeed is pretty Sophistry, and looks a little Jesuitical, and yet though he were on his Oath, and oblig'd to tell the whole Truth, I shou'd believe it by the Style to be his: 'tis just of a piece with his Examination sworn before Mr Justice Coot, which being tedious, & all of a piece, I take it to be sufficient to give a taste thereof at the end of this Appendix; wherein he betrays a great Shortness of Memory. And notwithstanding he Swears a downright Negative, as we shall have occasion to shew hereafter; yet when he's prompted, and the thing is pointed out to him, he can remember something positive beside; as for Example, If I shou'd ask him whether the Dean had not two of his children dead, as well as his Wife desperately ill at that time; and that this were notoriously true, perhaps he wou'd recollect, and beg Pardon. Why then shou'd he or any other be blam'd, they deserve our Pity more, that want either Memory or any other Natural Parts?

The next thing I shall lay down in its due order and place is, the usage he received after his coming to Ennis, where he assures the Reader, that *Thomas Hickman* and *David Bindon Esquires*, and Justices of the Peace, so conspired and order'd matters against him, that they were always out of Town by turns. So that neither they nor any other two Justices of the Peace cou'd be found there at a time to bail him, on purpose to give time to his Creditors to come upon him. And since Mr Arthur who was ruin'd and turn'd Bankrupt by his Artifices, as well as other Creditors, made use of this opportunity to lay him up in Custody, he argues from the Event very unfairly, that these Delays were given him that this might come to pass, and exclaims highly against the Sheriff for executing his Office in taking him for these Debts; whereas in truth, the Sheriff was either so little violent, or rather tandy in this Affair, that *Murrill* came into the Room where he was in Company before he was taken or committed on the Score of these Debts. The case being so, let any unbiass'd Man judge whether the Sheriff cou'd have done less, or whether he had not been Lyable to the Creditor if he had not taken him by Virtue of the Execution then in his Hands.

But he goes on, and in his Libel accuses Sir *Donat O Bryan*, the Sheriff and others of Inhumanity to him in his Confinement; and instances, that by their means he was loaden with Irons, strip'd naked to his Shirt, threatn'd to be Handcuff'd, and laid up in the Dungeon. These (I presume) are the Grievances laid by way of Petition before the Lord Chief Justice, and others the

the Judges of the *King's Bench* in *Dublin*. Whereupon, an Order is issued to *J. Hawkins* and *David Bindon* Esquires, and Justices of the Peace in the County of *Clare* from the *King's Bench* Office the 12th Day of *May*, to be informed the best way they could, and to take the Examinations of such Persons as should be brought before them, touching one *Patrick Hurly* in Custody in the Goal of *Ennis*; who made many Moans by Petition to the Court, of his Confinement and Usage: and that they should return the same to the Court by next Term. These are the Words of that Order, which being somewhat tedious, and no further to my present Purpose, for the Reader's ease I forbear setting down at length. In Obedience to which Order the two Gentlemen above named, repaired to the Goal; and having acquainted Mr. *Murphy* with their Errand, desired he would let them know what ill Usage he had received, or what he would be redress'd in; to which he made answer, That he knew not of the Petition till it had been preferr'd; that since that time, he had notice of the Contents of it; that at the same time he had an account, That the *King's Writ* of *Habeas Corpus* was come to Remove him to *Dublin*. He thought therefore he might more effectually prosecute his Petition there in his own person. And some time afterwards he sent them a Letter, wherein he in general terms, speaks of the Hardships done him. But to be informed fully in the matter, and to acquit themselves according to the Order, they repair to *John Grigg*, Goaler of the Goal of *Ennis*; and having examined him on Oath in these words, made their Report to the *King's Bench*. We Certifie that *John Grigg*, Goaler of the Goal of *Ennis*, an honest careful Man, as we believe; having an Account of the said Letter (meaning *Murphy's* Letter to them) and to acquit himself of any Offence, in respect of the said *Patrick*, came before us, and made the annexed Affidavit, which we humbly transmit to Your Lordships; and that we do not find or hear from any Person or Persons whatsoever, That the said *Mr. Hurly* met with any worse, or other Usage, since his Confinement in the said Goal, than is expressed in the said Goaler's Affidavit: All which we humbly lay before Your Lordships Consideration, this 23th of *May*, 1700. And remain Your Lordships most Obedient and Most humble Servants

J. HAWKINS.

DA. BINDON.

As I design in this whole Affair to give the Reader Satisfaction, so I consult his Ease, in being as brief as I possibly can. 'Tis in this View, that neglecting

glecting the Ceremony and Form of the above mention'd Certificate, I take only what I find most material to the Purpose now in hand. And yet notwithstanding I study Brevity, I do not see it reasonable to abridge *Grigg's* Affidavit, Sworne before the above named Justices, and Return'd to the *King Bench*, therefore I sett it down at large, Number the 3d. at the end of this *Appendix*, where the Reader may see how little reason the Petitioner to the *King's Bench* had to cry out on the Inhumanity and Unusual Severity of the Sheriff, Goaler, &c. whereas indeed he was treated Civilly and Obligingly. And notwithstanding his Cloaths, Watch, &c. were taken from him by virtue of a Writ for Debt; yet this being done in the Night, when the Sheriff cou'd not well have notice of it, it was not possible for him to redress him immediately; but next Morning as soon as he cou'd receive advice hereof, he repaired to the Goal, where in much Passion and Resentment he gave orders that his Cloaths, &c. shou'd be immediately restor'd, which was done accordingly. And tho we have it under his Hand, that at the same time, his Cloaths, which lay by his Bed, were taken from him, He had sent him inclos'd in a Pacquet of Letters a Razor, with advice to cut his Throat: yet is it certain, there never was any thing like it, nor does *Grigg's* Affidavit mention any thing of it, tho it be full as to all the rest. But as in the last Paragraph, we had a remarkable instance of his Shortness of Memory, so we have here of the Pregnancy and Fertility of his Invention: So that the defect of one Faculty is supplied by the excellency of another, which is so common and natural, that here is room also for Pardon and Excuse.

In another place he singles out *Mr. Tho. Hickman*, as a Person that tamper'd with *Daniel Carty*, one of the Confidants and pretended Robbers; and persuaded him partly by Menaces, partly by promises of Bribes and other Inducements to own the Contrivance, and the Fellows Names concern'd in that Robbery. But if this appears to be down right Impudence, and a plain Falstity; perhaps the Reader this time of Day, will find no reason to be surpriz'd at it: no, tho that honest Gentleman acted the contrary Part, turn'd Catechist, and Preach'd his Duty to this profligate Fellow; and exhorted him to take special care, and to weigh seriously the Importance of the Oath he was about to take. If this was so, is it not strange, wondrous strange, that any Man should have so much Front as to Remonstrate against such a Person for Inequality and Injustice? Here indeed is room for Commendation and Panegyrick on the Justice: but Harrangue and Descant being not so much the design of these Papers, as Truth and Justice, I refer the Reader for full satisfaction herein, to the Information of *Thomas Conway* of *Ennis* Merchant, Sworn before *David Bindon* Esq. one of the Justices of the Peace of the County;

County of *Clare*, viz. Number 4. at the end of this Appendix. Not long after the Discovery made by *Daniel Carty*, the Libeller informs, That *Sir Donat O Bryan* earnestly solicited for a Commission of *Oir* and *Terminer* to Try Him, and the rest of his accomplices in the Country; where he tells us, he was so far from expecting any Clemency, that he could hope nothing from it but Ruin and Destruction: *Sir Donat* being always highly incensed against him, and having an exorbitant Power, and irresistible Influence on the Country. But this is so notoriously false, that no such Commission was ever as much as once solicited, And all that was Transacted in Reference to him, was by Application to the Judges then on their Circuit, who were on this Extraordinary Occasion address'd to go back to *Ennis*, in order to Try him for the pretended Robbery, Perjury and Subornation. And this Application to the Judge at that time, was the only ground for that detestable Turn and Improvement, which he readily made of it, in giving it to the Publick, some little time before his Tryal, That *Sir Donat* having a design on his Life, had earnestly solicited a Commission of *Oyer* and *Terminer*, that by his mighty Interest in the Country, he may rid Himself and his Friends at once of so pernicious an Enemy. And somewhat Creditable had it been for him, (tho otherwise to *Sir Donat*) that the Judge had complied to return to *Ennis*, that being found guilty in that retirement e'er he came to publick Shame before the Face of a Kingdom, he might still keep up the Cry, and Exclaim aloud against the Jury, as being influenced and carryed away by the boundless Power and Authority of *Sir Donat* in that County.

Then he might have still insisted on't (as he does in his *Libel*) that *Sr. Donat* was so active & industrious against him for the Robbery in France, that he went off the Bench to procure one *Mr. Grab* to swear he committed or heard he committed that Robbery, and that he came out of France after the treaty at *Reswick*. From whence he by the by takes an opportunity to Raise an Image of his own worth and Credit, by letting us know with what familiarity he use'd Plenipotentiaries, and other Great Men of all Nations, how easy he made it to treat Dukes and other Persons of Quality at his Table. This manner of Speaking is indeed so Natural and familiar to him, that from the strain I cou'd Guess the Person, and I am perswaded the vanity with which he's blown up in this, and the following Paragraph had no small share in writting them. But this was not all, for as he knew that this objection cou'd not last longer then this, or some such Answer did appear in Publick; so he only design'd it shou'd serve a present turn and last for a season. For 'tis as certain as he writ this, that *Sr. Donat* never rais'd any such objection, and 'tis no less certain, that if he had appealed to either of *Sr. Donat's* two Sons (who were both in Holland at the time) and who are Persons

Persons of Truth and Honour, they or any of them scorn'd to prevaricate on this or any other occasion; but this was far from his principal design, he saw it very convenient to Raise an Objection that he cou'd so easily lay and confute; and that by so doing he may bring a plain Imputation of Malice and injustice on Sr. Donat.

But soon after this Tryal at Ennis, he tell us, that finding it absolutely necessary to have himself Remov'd from so injurious a country, where Sr. Donats power sway'd irresistibly, he determin'd to send his wife to Dublin to Solicit a Habeas Corpus to that end. But Sr. Donat, (he tells you) having intelligence hereof watch'd, and beset all the Avenues, to Intercept that great enemy of the country she being thus prevented, he says, it was debated and concluded her best way was to take the Road of Conaught to Dublin. But Sr Donat having advice of this Result also of the council, employed one Mortimer Huggins living on the borders of the Counties of Clare and Conaught to do him that good Office, and to seize her under colour of her having some of the goods of the pretended Robbery about her. But this is so Bold a Falsity, and so Notorious and Untruth, that as she was not at all molested in her journey, so neither was this Mortimer Huggins either then, nor for some weeks before, and after the time in a condition to Stir out of his bed of Sicknefs; so insatuated and unlucky is our Libeller in laying the Ground of his Story, and so signal Providence in helping us out with the truth.

The next thing that Carries the Colour of an Objection or of truth is this, that Sr. Donat prosecuted him with more violence after he had no remedy left him by the Law for the Robbery, then ever he did before; for says he, having order'd it so, that no presentment was found for me at the Assizes, I was thereby precluded from having the Remedy I might otherwise have expected by law for my Losses, &c. from whence he infers, that the greatest Motive of his violence was the apprehension of what he proposed to prosecute him for. To this I Return this Answer, first that this is in a great measure confuted in the Tryal; and in the second place, that tis the part of a good Man and much more of a good Magistrate not to neglect the executive part of the Law: that as 'tis the Legislative power's greatest commendation, that it Enacts wholesome Laws for the preservation & defence of the Commonwealth, so 'tis the Magistrates that he take care that such laws lye not Dormant or Neglected. And sure 'tis much better, that such laws had never been made, then that they shou'd consist only in speculation, or that they shou'd lye Dead and Despised. This wou'd bring contempt on the Legislative power & authority, and weaken the force and Sinues of many Useful Laws enacted by it; and at the same time encourage all licentiousness and Publick Outrages. And if this be so in Lesser Misdemeanors, sure 'tis much

County of *Clare*, viz. Number 4. at the end of this Appendix. Not long after the Discovery made by *Daniel Carty*, the Libeller informs, That *Sir Donat O Bryan* earnestly solicited for a Commission of *Oir* and *Terminer* to Try Him, and the rest of his accomplices in the Country; where he tells us, he was so far from expecting any Clemency, that he could hope nothing from it but Ruin and Destruction: *Sir Donat* being always highly incensed against him, and having an exorbitant Power, and irresistible Influence on the Country. But this is so notoriously false, that no such Commission was ever as much as once solicited, And all that was Transacted in Reference to him, was by Application to the Judges then on their Circuit, who were on this Extraordinary Occasion address'd to go back to *Ennis*, in order to Try him for the pretended Robbery, Perjury and Subornation. And this Application to the Judge at that time, was the only ground for that detestable Turn and Improvement, which he readily made of it, in giving it to the Publick, some little time before his Tryal, That *Sir Donat* having a design on his Life, had earnestly solicited a Commission of *Oyer* and *Terminer*, that by his mighty Interest in the Country, he may rid Himself and his Friends at once of so pernicious an Enemy. And somewhat Creditable had it been for him, (tho otherwise to *Sir Donat*) that the Judge had complied to return to *Ennis*, that being found guilty in that retirement e'er he came to publick Shame before the Face of a Kingdom, he might still keep up the Cry, and Exclaim aloud against the Jury, as being influenced and carryed away by the boundless Power and Authority of *Sir Donat* in that County.

Then he might have still insisted on't (*as he does in his Libel*) that *Sr. Donat* was so active & industrious against him for the Robbery in France, that he went off the Bench to procure one *Mc. Grah* to swear he committed or heard he committed that Robbery, and that he came out of France after the treaty at *Reswick*. From whence he by the by takes an opportunity to Raise an Image of his own worth and Credit, by letting us know with what familiarity he use'd Plenipotentiaries, and other Great Men of all Nations, how easy he made it to treat Dukes and other Persons of Quality at his Table. This manner of Speaking is indeed so Natural and familiar to him, that from the strain I cou'd Guess the Person, and I am perswaded the vanity with which he's blown up in this, and the following Paragraph had no small share in writting them. But this was not all, for as he knew that this objection cou'd not last longer then this, or some such Answer did appear in Publick; so he only design'd it shou'd serve a present turn and last for a season. For 'tis as certain as he writ this, that *Sr. Donat* never rais'd any such objection, and 'tis no less certain, that if he had appealed to either of *Sr. Donat's* two Sons (who were both in Holland at the time) and who are Persons

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to in respect of Enormious Crimes; such as Perjury, Subornation and such Sham Robberys of a Country; and if Men be not Deterr'd from Vice by the Examples and Penalties Publickly inflicted for Enormities of so high a Nature, our Laws are made in Vain, and Men will turn Wolves and Bears and devour each other. Clemency in such cases is a Crime, and the greatest severity *that can be done the Publick.* And is this duty less incumbent on *Sir Donat*, in that he saw *his private interest concern'd in this Mans success?* no sure: and if this had added some Keeness to him, tis but what Nature and the Law of self Preservation Dictates, and every Wise Man must look back sometimes, & tho their Modesty will not permit them to Speak it out, yet do they see and pass a silent Judgement on their own Importance; & they are certainly by the Law of Nature and Reason Obliged, to take care of themselves in proportion to their Weight & Consideration to the Publick; and we shou'd no doubt have this duty prels'd home upon us but that Instinct and Nature do Sufficiently excite us to it.

I think it needless to make any Application of this matter, or Appology for *Sir Donat*, for Checking the wanton designs and contrivances of an *ill Man*. But I shall anon shew that e're *Sir Donat* had any private intrest of his own to serve, he took up the just concern & Quarrel of the Publick against this Man.

And now I presume I may fairly Inferred, that what *Sir Donat* did for the country, is not so properly a compliment as *Murrhilly* terms it; but a considerable piece of Substantial Service, in Checking a Man in his very beginning that Studied to elude and pervert such Laws as were enacted for the safety and welfare of the Subject; and in disabling him from carrying on his Villany further, either in that or any other country. Nor is it to be Imagin'd he wou'd have Stop'd here: his Success in that Robbery, wou'd not only have flush't, but also furnish him out with shew and Substance. And what he argues for himself, in saying that if he had any such design he wou'd lay the Scheme in another county where *Sir Donat's* power did not oversway, was without doubt an After-thought; and may be an argument of Regret for not beginning there where *Sir Donat's* penetration cou'd not dive to the bottom of the project and Contrivance.

The next Objection that I shall take notice of is in these words; Supposing every thing said of me in relation to France be true, yet it being done when "we were at open War with that country, it ought not to be Imputed as "a Crime to me by any Man, especially by one that pretended to be a Protestant "or a Friend to the King & Government. And again he goes on and adds, What "did *Sir Donat* mean, by labouring to prove that I Robbed the French King, "the late King James &c. does that Report if true, make out that I Cheated the "County of Clare, that I caused my self to be Rob'd? or that I ought not to have "a presentment found upon. Full and Unquestionable proof at Ennis in the county of

of *Clare* &c. and from hence he deduces the malice of *Sir Donat* against him; his *Disloyalty* to the *Government* and & wou'd induce the world to believe, that *Sir Donat* had either some special *Commission*, *credential* or other *warrant* in the *Nature* of a *Letter of Attorney* from the *French King* to the late *King James*, or the *Irish* to that purpose; or that his affection Supplied the want of such commission.

All this is so very *Ridiculous* & *Extravagant*, that it deserves to be return'd in *Rallery* & *Burlesque*; yet having a design to leave him no place, & the reader no scruple in this matter, I shall give the Answer seriously in the following lines. And first, as to his being *strict in his profession and principles*. The hardship of being obliged to do this, to undeceive some of the populace and Strangers for the amusement of whom he undoubtedly design'd that part of his *Libel*, may be confess'd to be very *Extrordinary*. And had *Sir Donat* been of another country or, of another countrys name, there needed no confutation of such a matter nor, there been any colour for such an argument; his *works* & *actions* had given sufficient demonstration of the sincerity of his profession. And this way of *Reasoning from the effect backward*, & *a posteriori* being the only Method this matter is capable of, I argue thus. If *Sir Donat* in all his relations & actions has shewn himself a *Man of integrity* in the above mention'd respect, I presume the cause is carry'd and the point gain'd on his side; & that he did so first, with respect to his own *Children*, & next to them with respect to those to whom he was nearest allyed by kindred and Nature, is known to many of his country and even to this *Murrhilly* himself. I begin with His *Children*, whom he *Educated* after the *strict discipline* of the *Reform'd Church* both at home and abroad. and having first by his own *Instruction* and *Example* form'd and fashion'd them at home, he committed them to the *Care* and *Improvement* of others in the *College of Dublin*, in *England* & in *Holland*. Nor were they *Train'd* at any time in another way, or in any other principles. He well knew the *Advantage* of giving *Religion* the first and *earliest* possession, and pursued the speculation. The effect of which prudent management is conspicuous at this day, and shines forth in their lives and actions. In short, he exactly follow'd the *wise mans Aphorism*, and train'd them up in the way they shou'd go, and 'tis well known that now they are old (or Men.) They never have a thought to depart from it. This alone were a *Sufficient* confutation of that part of the objection; but yet I do not think it improper to add, that next to his *Children* he took a *proportionable care* of his nearest relations; whom when he had convinced of *Errors* in their own principles, he recommended to be further instructed and confirm'd to persons qualified for that purpose. And when they had complied in
this

this respect and not before, he immediately began to look clear and favourable on them, and forthwith order'd to have them train'd in Schools of all sorts. And when he had been at a considerable expence in qualifying them, he was yet at a greater in procuring them employments both by Sea and Land.

Here is room to second and Improve what I have said from topicks grounded on the law of nature and reason; but I take it, that an argument strong and convincing enough in its plain natural simplicity, looses by art and refinement; the Substance of it is weaken'd and it dwindles away in the Spinning. Is there then any necessity to lay out art or pains to perswade the Reader, that *Sir Donat* design'd the welfare and happiness of his own Children or nearest relations? or that he was not so liberal of his purse (which they say he knows how to keep or lay out as well as any body) but with an intent to Ruin and destroy them for ever. I shall not think it worth while to make an expence of time or Labour in refuting such reasoning. But when I shall

added to this his signal charity and friendship to incredible Numbers of distressed Protestants in our late calamitous times, if I shou'd be provoked to give the Catalogue of the families he has supported, and give the Publick the long Roll of all those Persons, ~~Men~~ Men, Women and Children, which he Sustain'd in his Seats and Mansion-houses in the Country, to say nothing of his more than usual Liberality in that time of exigency, in dispensing his bounty, and in disposing Numbers of his Flocks and Herds for the relieve of the Reduced Protestants of the County of *Clare*: If I should give in any Detail of this kind, I am Confident I should irretrievably incur his Displeasure. This I am sensible wou'd be so very disagreeable to the measures and Generous Reserve which (if I may so say) he Affects in doing Good that even what I have offer'd (tho highly provok't to't) may possibly disoblige. These are some of the Engagements and Charms by which he Irresistibly sways and governs that country; and these the measures whereby he establish'd his reputation for Religion, Loyalty and Charity with them. And yet this sway over the hearts and affections of his friends and Contry-men, the Libeller readily perverts and scandalizes with the odious name of tyranny, and Illegal and arbitrary power over the People.

The next part of the above mention'd objection is comprehended in this question. But what does *Sir Donat* mean by labouring to prove I Robb'd the French King, King James &c? to which I answer, that he wou'd have the world as well as himself perswaded, that you are at all times & in all places of a piece, and consistent with your self; that no change of Air or Climate ever had any operation on your morals; that what you was among your best Benefactors and Friends and those of your own profession in France, you may, without offering Violence

to right reason, be presumed to be still. Thou who wast never tainted with being fickle or given to change (as I have said) but always notoriously constant to thy self.

The *third & last thing* in this complicated objection, to which the whole hath its principal tendency, is, *Sir Donats* disloyalty to the present Government, the strokes of this he lays on the former parts but now confuted, I hardly need add, that the main of *Sir Donats* interest depending on the welfare and Stability of the present Government, it may be fairly presum'd he must be well Affected to it. And what is sufficient to evince his being so, is his *Publick service in the Governments time of greatest exigency*; which is so well known to Persons in trust about the King, that he always found Friends there, and needs no other security if his Life, Fortune or Reputation shou'd at any time be attempted on by any such *Vile notorious Villian* for the future. And is it not enough to give a Man the Spleen and to Raise Indignation to see the *Pillager of Protestants in the late times, our Geneva Convert, and Hague Papist* Impeach a Person of Quality for insincerity in his Profession, or Disloyalty to his protestant Prince? to asperse him and conspire against his life and fortune, who I could say (if there were Liberty for Panegyrick) Adorns his noble Birth with Personal Accomplishments, and whose children are like to Shine forth equally with him, and to Illustrate their family. Here indeed is place for Encomium; but it wou'd look like design and flattery, and therefore to give as little disgust as possible on this occasion, I quit this matter, and proceed to trace Patrick to Dublin, whither he was remov'd by virtue of the Habeas Corpus writ.

But by the way I find him at his *Sunday's Devotionat Nenagh*, where he offer'd to give some of his Guard, who were Solicitous to hear Mass a cast of the Priestly office, and thereupon having accommodated himself with a Turnip Slic'd, in lieu of Wafers, with a chamber-Pot, &c. and having first dress'd himself with some vestments carrying some likeness to the habiliments of a Priest, he Sprinkles his retinue, together with some devout old Women with some Savory liquor; this premised he goes on to the Office consecrates the Turnip, proceeds to the offertory, and at length ends the Service of the day. But hereby instead of obtaining the favor of the company in inducing them to believe his aversion to Popery, it operated quite contrary; and created such an abhorrence of the Man, and of his profanation of the Christian Religion in general, that they were fully perswaded he cou'd have no principles or Religion at all.

Yet flattering himself with the Imaginary opinion of having gain'd his point he goes to Dublin, where having endeavour'd to give his Plot, that he had drawn on the rude lines of before, some shape and Colour, such as were drawn from the above Refuted objections; and notwithstanding *Major Gary's* Refusal to Joyn with him in so Villanous a contrivance, yet does he proceed, and in his

his examination before Mr. Justice *Coote*, betrays that Shortness of memory intimated in my account of *Dean Blood*. And tho a negative be exclusive of every thing positive, yet when he's directed to the matter, & 'tis plainly pointed out to him, he more then once owns something that he Studiously conceal'd. But the Examination being tedious and all of piece, I refer the Reader for his further Satisfaction to the former part thereof, where he may have a more lively representation of this, and of his other arts of avoiding truth, Number the 5th. at the End of this Appendix.

Having thus open'd the way to his Grand Plot, the next Project was to Amuse the *Trustees*, with the mighty Services he design'd the King, and to possess them that all his Sufferings on the Account of the Robbery, proceeded from the prejudice and malice of *Sir Donat O Bryen* on that Score. And when he fancied he had suniciently Insinuated himself into their Favour, and gain'd his Point, he break's out into Joy and Exultation ; values himself upon the Imposition, & Expresses his sence of it (as I am informed) in these words. " What ! & am not I who have been able to deal with Kings, fit to deal with " a Petty Common-Wealth ? And in this sort of Stile, he swells in A Letter to his Brother *John* at that time, wherein he tells him, " That the *Trustees* assured " him that in case of failure here, they wou'd Recommend him for the Repair of " his Losses to the King & Parliament, &c. And expresses himself further thus. " As to any Service you or any Friend that you recommend to me have with the " *Trustees*, you may depend upon it, I will do it very heartily and without " any Vanity : tho' I am still in Prison, I have as good Interest with them as " any in the Kingdom. This is his Natural Familiar Stile with respect to great Persons. And yet as these Clear-sighted Gentlemen received his overtures of Serving the King *Ex Officio*, and according to their Trust : so when they saw thro' the Fallacy, they Slighted and Abandon'd him.

Finding his Disappointment this way, he on the receipt of a Letter of his Brother *John's*, giving him an account of the Slight *Sir Donat* and his Friends, put upon his measures and endeavours against him, takes new methods to scare him into some Composition with him. And in this view, he in his Letter of the 28th of September 1700 writes, *That the Clever Fellows he got the Passes for, by his Friends in England from the King are Landed. These (says he) are smart Ingenious Fellows that will fully and fairly prove things against him that he does not think.* And when he has breath'd out a great deal of wind in such menaces, he recommends the manngement of this Letter to his Brother *Francis Terry*, the Person to whom he directed the Letters made mention of in his Examination before Mr. Justice *Coot* ; addresses the Postscript of this Letter to

to him in *French*, desiring that he would leave his Gallantry and Billet Douce, and manage the above Letter.

*N'crivez plus de vos billets doux
 Poor des raisons, le ieu ne vaut
 Pas la chandelle menagez cette
 Lettre ci dessus — et ecrivez moy.*

In the mean time one *Edmond Terry* another of *Patrick's* brothers in Law in answer to one of *Mr. Thomas Burk* of *Tyaquins*, a Gentleman concern'd for both parties, under great concern presses that he would *interpose* in this affair; alledging that nothing was done yet that cou'd not be turn'd into Smoak, as he words it, & further desires that if any thing may be done, he wou'd take care to provide for his poor Sister. And adds that he deliver'd his letter to *Mr H.* to which he believ'd he had sent his Answer by that Post. This Answer also I have by me, wherein he acknowledges his favor, & confidence in his sincerity & friendship; & adds these words, I assure you what you are pleas'd to do in it will be very acceptable to me, for I know you are no stranger to my sufferings & losses, which proceeded altogether from that source. There is nothing done yet but may be retriev'd if other things Answer, and ends thus. I had rather by much do it, then proceed the other way, provided always &c. and as he subscribes *Mary Slingsby*, so he desires he wou'd direct to him by that Name.

But missing his aim in all these attempts he turns Desperate, & like a Bravo resolves fiercely to attack *Sir Donat* on all sides, and to charge him with being guilty of the Robbery as well as of the Plot, in these words. "Now I Submit to the Impartial reader, whether the refusal of the grand Jury to find a presentment for me, is not a strong presumption that *Sir Donat* (who chiefly opposed it) was a Contriver of, and privy to the Robbery? not so much for the sake of the Money, as to Impoverish me: and therefore seeing that I would recover my Money of the County, and thereby frustrate his design of Disabling me to Prosecute him, &c. had such a Jury pack'd as would refuse me a Presentment, tho' the Twelve Apostles had been Evidence for me.

This daring Undertaker is making his last Effort, and Beares up Boldly, but yet on the Tryal all false Glosses disappearing, he with very little Opposition given lost the Day. And since he has so twisted the Affair of the Robbery, with that of the Plot, that the Fall of the one, determined the Fall of the other; and that with good Policy too, the Fall of the Robbery Unqualifying him for an Informer of the Plot, I shall be censured by the Reader for not

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Joyning in that Issue, and to take occasion from thence to put the Tryal into his hands to evince the falshood of both.

But having it in my power to unravel this Mystery, and to display it in a clearer light, I must intreat his Patience while I add the few following lines, wherein I shall shew First, that before any information given in by *Murrhill* against Sir *Donat*, and when they were so far from any appearance of enmity that they held a Fair correspondence Sir *Donat* withstood his fraudulent designs on the Country.

And Secondly I shall as clearly shew, that to adjust and to give some finishing Strokes to the Plot, Cap. *Parker*, so notorious for Perjury and Subornation lately before the Trustees, was to be taken in.

As to the first of these I need only appeal to his respectful Friendly letter to Sir *Donat* dated *Februray* 5th. 97. on occasion of mony that he pretended to have hid in Ground at the time of his departure out of this Kingdom into *France*; the Summ whereof as well as the Species of the Coin he ascertains in this letter; and says there was about 500 Pounds Sterling in all, and yet in his Affidavit before *David Bindon Esq*, he makes the Summ Sixteen Hundred & Seventy Pounds Sterling; which he claim'd of *John Bourk, James Bourk &c.* but Sir *Donat* seeing into the bottom of the fraud, defeated his project, which together with the declension and ebb of his fortune incensed him so far as to give in the Information of high Treason against him. These two papers are so convincing of this truth that did I not Consult the Readers as well as Printers ease, I shou'd have confronted them to one another on this occasion. Secondly, that Cap. *Parker* was to be call'd in to his aid to assist in carrying on the Plot, will be plain beyond contradiction to any body that reads *James Hurly's* letter to *Patrick* on this occasion, in which, in an Answer to a letter of his, he writes that he had been at *Parkers* house, but that he was gone to *Dublin &c.* he gives him the best Recomendations Immaginable, tells him he's the best qualified Person for his turn he cou'd wish for; desires him to use all the freedom with him that he wou'd with himself in the case, &c. But for the Readers full satisfaction herein I refer him to the very letter at Number the 6th. at the End of this Appendix.

Having now very clearly Answer'd the Vindication, and convicted our Malignant of high crimes; here is place to cry out for Justice, and a suitable penalty on him. And tho Impunity and too slack a punishment do in proportion weaken the sinues of the Law, yet do I not think it proper or modest to prescribe to the Judges on this occasion; and having trespass'd on the readers patience already, I think I cannot do him better amends then in ending this Treatise without further ceremony,

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Here follow the Affidavits and other Testimonies refer'd to in the Appendix.

Numb. 1. *Com. Clare The Information of David Barry of Carcro-keale in the County of Clare Gent. taken before me John Hawkins Clark one of his Majesties Justices of the Peace for the said County.*

THe said Informant being duely Sworn and Examined, deposeth that on the 23d. day of May last, he this Informant being a near Neighbour to *Patrick Hurly* for about 30. Years before, and having served him, and his Brother *John Hurly*, when they had the Overseeing of the late King *James's* stores in *Dublin*; in the Year 1689; and being upon Occasion of business at that time at *Ennis*, where the said *Patrick* lay Prisoner, for Designing to place a pretended Robbery on the aforesaid County, the Informant went into the said Goal to pay him a Visit, and upon some Discourse with him about his Imprisonment; and the Occasion thereof, He the said *Patrick* told this Informant that 'twas *Sr. Donat O Brien* was the only Occasion of his the said *Patrick's* Imprisonment, and if the said *Sr. Donat* did not prescribe a sudden way of his Inlargment, he wou'd very soon make his the said *Sr. Donat's* Neck Strech, together with the Necks of some others of this said *Sr. Donat's* near Relations; and for further Confirmation thereof he the said *Patrick* did then, and there Produce to the Informant three or four Sheets of Paper written by him the said *Patrick* (as he said) that day, and the night before Importing a Plot that he wou'd lay against the said *Sr. Donat* before the Government, but read nothing of the said Substance of it to him, but told this Informant that he was reduced to his last shift, and had nothing but his Wit to bring him off, and doubted not but by the help thereof, to come off in Spight of all Opposition.

The Informant further deposed, that he has known the said *Patrick* since he the said *Patrick* ha's been of the Age of 13, or 14 Years; and for the most part of such time as the said *Patrick* has lived in this Kingdom, he this Depo-
nant has either lived with him, or been his very near Neighbour; and Depo-
seth that in all his Knowledge of him, *he has never known a greater Villian*; & knows that when he the said *Patrick* was Employ'd in the late King *James's* Stores as aforesaid, he the said *Patrick* has placed down to the late King's Account Eight hundred Barrells of Oats, as deliver'd to *Coll. Parker*, whereas in reality he had delivered to the said *Coll.* or his Regiment but two single Barrells; and for which, and many other Cheats, he and his Brother *John*, who Acted under him in the Forragers Employment were turned out, That the said *Patrick* always kept two Measures, one to Receive, the other to Deliver by, which were very disproportionable, and by means of those and the like

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Cheats began the Foundation of his Fortune, & has ever since laboured to support it, by the like wicked unjust means, and when this Informant was employed under the said *Patrick*, and his the said *Patrick's* Brother *John Hurly* at *Dublin* as aforesaid they did at several times Cause this Informant to Change and alter their Books, till at last they made the said Books Answer to 8000. Pounds disbursement, that it might Ballance the like Summ which had been put into their hands when as in the Deponent's Judgment there was never full 2000. Pounds of the said Money laid out by them.

David Barry.

Jurat 16. die Mensis January 1700. Corum

Numb. 2. Mr. Arthur's Letter, August the 16th, 1701.

Dear Cousen,

In Answer to yours, I give you this in as Ample manner as this Paper will permit, as an account of my Dealing with Mr. Patrick Hurly: About the beginning of January, 1697. he gave me Wills of 11117 Livers, & 2 Sols Tournois; Signed Pierre Du Hamell on Charles de Bonvall, chez Mounseur de Turmenie au Marais du Temple a Paris. Which I would not take from him without his Bond of Fifteen Hundred Pounds sterl. to indemnify me, in case his Will should come Protested; which Wills I sent unto Mr. Creagh and Falliet of London; and they sent to Daniel Arthur junior of Paris: The Wills were presented at the House where Directed; and the Answer given the Servant that presented them was, That no such Man was in being as they were drawn on, nor did there ever live any such Person there as Charles de Bonvall. On which Answer received by a Notary, the said Wills were Protested, the Protest sent me by Monsieur Falliet; for Mr. Creagh was then on his Travels: And I sent them Mr. Hurly, by my Letter of the 8th of March following; and he made Answer, That tho' that Fund he had in France may miscarry, he would see me Satisfied by the end of that Month: In order to which, he would immediatly come to Dublin. But he was not as good as his word.

But finding by his managment, that he intended to trick me, I got him into the Marshalsea; where in presence of Sir Theo. Butler, then his Council, (a Man of Honour and worth, and David England, and others, he Formed and Signed me Bonds for what appeared due of him upon account of the said Wills, which came to about 924 Pounds.

But he no sooner was sett at Liberty on this account, but he sent Letters to each of the Gentlemen whose Bonds he Assigned me, desiring them either to dishonour the Bonds, or to make use of some Discharges he then sent them, which most of them did for a while; and some do still insist that their Discharges are good.

Nor was there any such thing ever propos'd by him, as enjoining me to take an Oath to be trusty to him, nor did I ever on that occasion swear any thing to him; but did him all the Justice in my Power. But alas, Dear Cousen, you partly know how my unhappie Dealing with him, has been the only in-road to all my Misfortunes; I may Justly conclude all I have since suffered to proceed from thence; for the Money he then had from me, would have answered my Credit with several of my Correspondents.

And when he seems to Impose on the World, That I often Importun'd him to deal with me, 'twas truly on the contrary: That barbarous Fellow gave me such usage as I think proper to give you a short Paratibe of, since he is so Notoriously Wicked as to put my Name in Print after a Scandalous manner, and not contented to Ruin me in my Substance, but so unlike a Christian, to do the same in my Reputation: I wou'd not omit to do right to my good Name and Credit on this occasion; I have lived in many considerable Places abroad; add since my Establishment in Dublin, No Man living could say I ever did an ill thing. But to purpose

Mr. Hurly, whom every body believed to be Rich with the Spoils of others, arrived in Ireland; 'twas my Misfortune to come acquainted with him, by means of Mr. Byrn in Francis-street, I presume besides, by some Recommendation from his Brother John Hurly, to whom I had done some kind Offices; we had several meetings, and that which now I observe to my cost was, that when we came near agreeing Matters, about giving me Wills for the said Sum of 11117 Livers, 2 Sols Tournois, he Generally started some new Difficulty, or seem'd to think that I had not allow'd him sufficiently for the said Wills, and that he cou'd have had more from others. Meetings of this kind having had no success, I thought no more of the matter; but alas! he Acted his Part to the Life, and when he found me careless and negligent of the matter, he proposed a meeting wherein all Matters were concluded: And too late I find that his nice Scruples and pretended Doubts, were only Lures to draw me into the Snare.

And when he would imply, that my being not Just to him, occasioned the Protest, and the Return of his Wills: Let all Mankind judge, if it was not my own Interest to be sincere on the occasion; but to run Counter to that, were to be guilty of the greatest Nonfence imaginable. Besides, at the same time, Mr. Fitz-Symons had Wills from him, which came and were presented at Paris ere mine came to my Friend's hands there; tho' he has given out, that the noise my Friends made there, occasioned the seizure of his effects: Yet too true it is, there was never any such Man in being, nor any such thing as a seizure made; and this I have under Daniel Arthur's Hand from Paris: This is so true, that I am left to remember my Credulous Folly the longest Day of my Life. And yet nothing shall make me act contrary to the Principles of an Honest Man; and worthy of that Candid Friendship you have always shewed,

Your Affectionate Kinsman, And Humble Servant,

Thomas Arthur.

Numb. 3. **J**ohn Grigg of Ennis in the County of Clare Goaler, came before Com Clare. Jus John Hawkins Clark, and David Bindon Esq; two of his Majesties Justices of the Peace for the said County This day and made Oath, that Patrick Hurly Gent. stands committed in the Goal of Ennis aforesaid by Mittimus Under the Hands and Seals of several of his Majesties Justices of the peace for the said County of Clare, for Robberies, Fellowies and other Crimes and by the Sheriff of the said County of Clare, upon several Writts and Executions out of his Majesties Court in Dublin, to the Summ of Three Thousand Pounds or thereabouts. That some days after he was Committed as aforesaid one Mr. Neylan a Prisoner for Debt in the said Goal, and an acquaintance and Relation to Mr. Hurly, told this Deponent,

that the said *Hurly* told the said *Walter Neylan*, that it was an easy matter to break the said *Goal*, and told him some other words that Induced this Deponent to believe that the said *Hurly* would soon Endeavor to break the said *Goal* and make his Escape, which would be the utter ruine of this Deponent and to the Great Damage of the said Sherriff: Therefore he Believed that he may safely use all Lawful means to Secure a Prisoner Committed to his charge for such Considerable Debts and likewise a Criminal for Felony: the Deponent did Bolt his Legs with *Iron Bolts*, but suffered them to be lyned with *Linnen* and *Wollen Cloaths*; and when the said *Hurly* Complaind to this Deponent that the said Bolts were hurtful to his Legs, the Deponent caused the said Bolts to be taken off, and in their place did put a small *Iron Chain*, and withall told the said *Hurly*, If he would but give Security for his true Imprisonment he would likewise take off the said small Chain; which the said Mr. *Hurly* refused to do. This Deponent further Deposeth, that about the time this Deponent suspected the said Mr. *Hurly* would make his Escape he Intercepted two Letters of his going out of the *Goal* (and no more,) in hopes he may make a further discovery of the said *Hurly's* Contrivance to make his Escape; but did not open the said Letters, but sent them with this Deponents Son *Jonathan Grig*, and with the said *Hurly's* own Nephew one *mc. Donough*, to the said Sherriffe, to know his pleasure Concerning the said letters who Immediately sent back the said Letters with the said Messenger to the said Mr. *Hurly*, without Opening them. He then likewise sent by the said Messengers, directions to this Deponent not to Intercept any of the said *Hurly's* letters, or hinder him to write to whom he pleased; and to receive what should be sent him without examination: which directions this Deponent ever since observed. This Deponent saith, that he never gave Mr. *Hurly* since he was Committed to the said *Goal*, any worse usage then what is herein before related; and was otherwise Civil to him upon occasions, and had always Directions from the Sheriff to be Civil to him; but to take special care to prevent his escape. This Deponent Deposeth, that he never Threatened that he would Handcuff or send the said *Hurly* to the Dungeon. Neither did he ever receive directions from the Sheriffe, or any other Magistrate so to do. This Deponent further deposeth that about a fortnight ago one *William Hallway*, who obtained a Special Warrant from the Sherriff upon a Fier. Fac. of Seven Hundred & Sixty Pounds against the said *Hurly's* goods, at the Suit of the said *Walter Neylan*. The said *Hallway* came to the Room where the said *Hurly* was in bed, & finding some of Mr. *Hurly's* Cloaths, Watch & other goods of his in the Room, the said *Hallway* seized on them. That the next Morning the Sheriffe had notice of the said *Hallway's* proceeding, he came into the *Goal*, and was very much Concern'd that *Hallway* should offer to

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Meddle with the said Hurly's Cloaths, and gave the said Hurly all Imaginable Satisfaction that he was a meer Stranger to that proceeding, and so did this Deponent, & then the said Sheriffe took back again all the said Cloaths from the said Halway, gave them to the Deponent to the use of the said Mr. Hurly untill the Sherriffe would advise with this Council whether the said Cloaths were legally taken or not. This Deponent saith, that since, that time the said Sheriffe prevailed with the said Neylan to Consent to restore the said Cloaths to the said Hurly, which he did accordingly, and before such Consent the Deponent gave the use of the said Cloaths to the said Hurly.

Jurat Coram Nobis the 23. day of May 1700.

John Hawkins.

David Bindon.

John Grig

Numb. 4. Com. Clare. The Information of Thomas Conway of Ennis in the said County Merch. taken before David Bindon Esq; one of his Majesty's Justices of the Peace for the said County, the 30th day of October 1700.

THe said Informant being Duly sworn & Examined, deposeth, that he was sent for by *Thomas Hickman Esq;* to be present, when *Daniel Carthey* was brought before the said *Thomas Hickman* by *William Halloway*, by vertue of a Warrant, upon Suspition of being concerned in the Robbery of Mr. *Patrick Hurly*; This Informant then by the orders of the said *Hickman* writ the Examination of the said *Carthey*, this Informant saith that before the said *Carthey's* Examination was taken, the said *Hickman* did Exhort the said *Carthey*, to weight and consider well what he was going to Inform against the said *Hurly*; for that it would be the ruine of the said *Hurly's* reputation & family, and that he ought to consider the great and Crying sin of Perjury, and that the said *Hickman* further pressed the said *Carthey* to know of him, if any one promised him any reward or bribe to Inform against the said *Hurly*; which the said *Carthey* there absolutely Denied, that he did it for no other reason but to tell the truth, and Clear his conscience, several other pious Exhortations were then spoke by the said *Hickman* to the said *Carthey*, & words to that purpose, and further deposeth that the said *Hickman* promised the said *Carthey* no manner of bribe or reward, other than that he would use his endeavor with the rest of the Majestates of the said County to Intercede for his pardon to the Government, and for his good usage in Goale During his confinement, if he did discover the rest of his accomplices in the said Robbery, upon which promises the said *Carthey* discovered the other accomplices, on condition they should have good usage in Goale, and upon which the said *Hickman* Issued a Warrant drawn in the Names of the said *Hickman* and *John Fitz. Gerald*.

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Gerald, Esq; against the said Robbers, and Enclosed the said warrant in a Letter to the said *Augustine Fitz-Gerald*; which Letter was Dictated by the said *Hickman*, and Engrossed by this Informant, wherein he desired that the High and Petty Constables should be Aiding and Assisting in the due Executing of the said Warrant. And also desired in the said Letter that *Mr. Fitz-Gerald* would take care that no Prejudice should be done *Mr. Hurly* or his Family, only put the Law in due Execution, and words to that purpose. And further saith, that the said *Thomas Hickman* sent for *David Bindon Esq;* to his House at *Ennis*, that he may be by, and Joyn him in taking the said Informations, but it happened that the said *David Bindon* was not then in the Town of *Ennis*, and further saith not.

Jur. Cor. me 30

Die Octob. 1700.

David Bindon,

THOMAS CONWAY.

Numb. 5. Jan. the 14th. The Examination of Patrick Hurly.
THe said Examinant being Sworn and Examined saith, That he hath received only one Letter from Capt. *Francis Terry* since his going for *England*, which he produced at the time of his Examination bearing date the 19th. of *December 1700*; but Received none from Capt. *Charles McCarty*, or Lieutenant *Turlog, Mac Mahon* since their going over. Being asked how many Letters he wrote to the said *Terry* since his going for *England*? saith, That he is sure he Wrote three or four Letters, but not above four that he Remembers; saith, That two of them were Superscrib'd to *Mr Robert Jones*, and another to Capt. *Francis Terry* at *Young-man's-Coffee-House* in *London*; but saith, That *Robert Jones* was but a Fictitious Name, & that a Letter with that Direction would come to the hands of the said *Terry*, or one *Dennis McCarty*, who he believes usually frequents that Coffee-House; but knows not where his Lodgings are. Being asked how we came to direct to *Terry* by the Name of *Jones*? says, That since the 3d. or 4th. of this Month, one *Higgins* came out of *London*, with Orders from *Terry*, *Charles Mac Carty* and others, concerning the Prosecution of *Sir Donagh O'Brien*, that the Examinant should address his Letters for the future to *Robert Jones*, and not to *Francis Terry* for fear of their being intercepted, which made him direct his two last Letters to *Robert Jones*. Being asked whether at any time he wrote to have the said *Terry* or *mc. Carty* instruct or direct him, how to alter the Address or Direction of his Letters, he denies ever to have done so, but says, those orders came by *Higgins* without the Examinant's seeking. The Examinant being further asked whether he sent any of the said Letters under Cover, he says, he did not, and that he never wrote any Letter to Capt. *Terry* under cover since

since his going over. Being asked whether he knows the Brother of any person who goes by the Name of *Circum-floberous*, he says, that he now recollects himself and remembers that he wrote another Letter to Capt. Terry; besides the former mentioned to be left at *Youngman's Coffee-House*, and inclosed the same under cover to one *Sarsfield*, Brother of *Francis Sarsfield* of the County of *Clare*, who goes by the Nick-Name of *Circum-floberous*, who gave the Examinant Directions how to address a Letter to his Brother in *London*, who, the Examinant says belongs to some of the Inns of Court, but knows not where he Lodges, and adds, that he had intirely forgot writing or sending that Letter under cover, being a very short Letter, containing about ten Lines, and being not material. Being Examined what the contents of that Letter was, says, that he thereby informed Terry, that he was told one *Muldowny* and *Larner* were imployed by *Sir Donat O'Brien*, to find out *mc. Mahon*, and the other Witnesses against *Sir Donat*, and take them off by giving them Money; and therefore desired Terry to find the Witnesses out and so disperse them in the Country or Lodge them in private Towns, that they might not be found out by *Muldowny* or *Larner*, and conditioned the said Terry not to be seen in their company; being asked why he chose to send the Letter to Terry under *Sarsfield's* cover, he says, he did so to quicken Terry in taking up the Letter Directed to him at *Youngman's Coffee-House*, being sensible that his Examination against *Sir Donat O'Brien*, and a Letter written by him to Capt. Terry, directed to *Youngman's Coffee-House*, were sent to the Secretaries Office where *Sir Donat's* Friends might make Interest with the Clerks to come to the Knowledge of the place where his Letter to Terry were directed, and so intercept them, and is positive he never wrote more than five Letters to Capt. Terry, to wit, the two directed to *Robert Jones* at *Youngman's Coffee-House*; two more directed to Terry himself at the same place, and one directed to Terry under the cover of *Sarsfield* of the contents above mentioned; says the first Letter he Writ to Mr. Terry, bore date the 5th of *December* last, and two other Letters were also Written by him to Terry within ten or twelve days after the 5th of *December*. Being asked whether the Letter that went under *Sarsfield's* cover was one of the said two last mentioned Letters? saith he look't not on the Writing which he sent under *Sarsfield's* cover to be a Letter. Being asked whether he knew of any other Person that Wrote or Sent any Letter under cover to Mr. Terry since his going over, besides the Letter or Writing before-mentioned, to have gon under *Sarsfield's* cover he says he neither knows or heard of any body's so Writing or sending Letters to him. Being asked if he knows any person called by the Name of *Thomas Mansfield* of *Grace Church-Sreet, London*; saith he knows no such person. being asked whether he knows any person called *Rogb*, says, he knows several of that name, but menti-

ons none in particular; being asked whether he knows one *Richard Roch*, says he knows none of that name in *France*, and afterwards adds, nor in *England*: but being pressed to answer that question in general, says that there is one *Richard Roch* at this time a Prisoner with him in the *Marshalla*; being asked whether the said *Richard Roch* ever sent any Letters written by the Examinant to Capt. *Terry*, he denies that ever he did, but once that one *Brien* brought two Letters relating to the prosecution of Sir *Donat O'Brien*, to the Examinant directed to Capt. *Terry*, or *Robert Jones*, since *Terry's* going into *England*, and desired him to get them sent safe, under cover, that the Examinant prevailed on *Richard Roch* to inclose them under cover, to *Thomas Mansfield*, or one *Mrs. Robb*, in *London*; but never read the same, but *Brien* told him the contents, and saw them sealed up by *Brien*, that they were only two single Letters to the like effect, Relating to Sir *Donat O'Brien*, &c.

Number: 6 *Nenagh* 26th. *October* 1700.

I Came from the County of *Limerick* but last Night; at which time, I had yours of the ninth Instant, and this Morning I went to Capt. *Parker's* house, who took his Journey towards *Dublin* on *Saturday* last, and (as I am told) will go from thence into *England*. I had given you an account of that Letter to Mr. *Hurly*, but that the Capt. told me that Mr. *Walsh* Delivered it into your own hands, he is the Gentleman that I talked to you of very often, A most worthy Gentleman, and one that you may with as much safety repose Confidence in as you wou'd in me, Let me beg of you to Communicate the Whole matter to him, and Deale with him upon the Subject you writ to me before any, for that he is the fittest of any Gentleman I know to manage that Affair privately and with Discretion. I had gon on foot to wait on you to *Dublin* but that there is a Certain Bond in Judgement overme there, in A Tyrants hands. Pray let not the Gentleman that Delivered you the former Letter to Mr. *Hurly*, know any thing of your Secrecy, for that he is of Kin to the Grand *Seignior*. And put the Capt. in mind of it You will soon Learn from any out of his Country where to send to the Capt. Be sure to Enquire very privately for him for fear of any Suspicion: So wishing you all good Success Imaginable I conclude Dear. Sr.

Your Faithful, and Humble Servant,

James Hurly.

E I N I S.

Erratas in the Appendix. Page 5 line 1 for *Earl* read *Count*. p. 12 l. 12 r. *Feuds*. p. 12. l. 1 r. *Imminent*. p. 18 l. 31 for *Lady's* r. *Lady*. p. 18 l. 9 read *But to do him*, p. 1, 15 l. 8 for *Place* r. *Plea*. p. 27 l. 15 nor had there been. p. 27 l. 30 r. *Conspicuous*. In some Corrected.

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